

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MORTON GROVE PHARMACEUTICALS, INC.,)	
)	
Plaintiff,)	No.: 08-CV-1384
)	
v.)	Judge Bucklo
)	Magistrate Judge Mason
THE NATIONAL PEDICULOSIS)	
ASSOCIATION, INC.,)	JURY TRIAL DEMANDED
)	
Defendant.)	
)	

**DEFENDANT THE NATIONAL PEDICULOSIS ASSOCIATION, INC.’S
MOTION TO COMPEL THE PRODUCTION OF DOCUMENTS
AND DEPOSITION OF NON-PARTY DR. AMY S. PALLER**

The National Pediculosis Association, Inc. (“NPA”), by its attorneys, hereby moves this Court to enter an order compelling non-party Dr. Amy S. Paller to produce documents and to sit for a deposition. In support of this motion, NPA states as follows:

1. In its interrogatory responses, Plaintiff Morton Grove Pharmaceuticals, Inc. (“Morton Grove”) identified Dr. Amy S. Paller as one of few individuals who has personal knowledge of the key issue in this case: the truth or falsity of NPA’s statements.
2. In addition, Dr. Paller is one of three individuals listed on Morton Grove’s websites, lindane.com and lindanetruth.com, as independent reviewers for the site. In its counterclaim, NPA has alleged that several statements posted on these websites constitute false and misleading advertising in violation of the Lanham Act and the Illinois Deceptive Trade Practices Act.
3. Despite Dr. Paller’s relevance to this lawsuit as a fact witness, Dr. Paller – through Morton Grove’s attorneys – has objected to NPA’s subpoena and now refuses to sit for a deposition without hourly compensation or to produce any documents to NPA.

4. The grounds for this motion are more fully set forth in the accompanying memorandum of law and incorporated herein by reference.

WHEREFORE, NPA respectfully requests that the Court enter an order compelling Dr. Paller to (1) produce all non-privileged documents that are responsive to NPA's subpoena within 30 days from entry of the Court's order; and (2) appear for her deposition within 45 days from the entry of the Court's order.

Dated: July 28, 2008

Respectfully submitted,

THE NATIONAL PEDICULOSIS
ASSOCIATION, INC.

By: s/ Debbie L. Berman
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